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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/696,717	10/29/2003	Wylie Vale	D6257D

CONFIRMATION NO. 6470

FORMALITIES LETTER



OC000000013319877

Benjamin Aaron Adler, Ph.D., J.D.
Adler & Associates
8011 Candle Lane
Houston, TX 77071

Date Mailed: 07/26/2004

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Page(s) 42 of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(e)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date being requested when submitting the omitted item(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the

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references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required. A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

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A copy of this notice MUST be returned with the reply.



Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Vale *et al.*

FILED: October 29, 2003

SERIAL NO.: 10/686,717

FOR: Betaglycan as an Inhibin
Receptor and Uses Thereof

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ART UNIT:

EXAMINER:

DOCKET:
D6257D

MS MISSING PARTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8

Dear Sir:

I hereby certify under 37 CFR 1.8 that the following correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to MS Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

- 1) Response to Notice of Omitted Item(s) and Amendment (4 pages); and
- 2) Copy of Formalities Letter (2 pages).

Please return the enclosed postcard acknowledging receipt of this correspondence.

Respectfully submitted,

DATE:

ADLER & ASSOCIATES

8011 Candle Lane

Houston, Texas 77071

(713)-270-5391

badler1@houston.rr.com

Benjamin Aaron Adler, Ph.D., J.D.

Attorney of Record

Registration No. 35,423



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APPLICANT: Vale *et al.*

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FOR: Betaglycan as an Inhibin
Receptor and Uses Thereof

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MS MISSING PARTS
Commissioner for Patents
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Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF OMITTED ITEM(S) IN A
NONPROVISIONAL APPLICATION**

Dear Sir:

In response to the Notice of Omitted Item(s) in a Nonprovisional Application, mailed July 26, 2004, Applicants respectfully request that the following preliminary amendments be entered into the above-referenced divisional application prior to examination thereof.

Respectfully submitted,

DATE: Aug 13, 2004
ADLER & ASSOCIATES
8011 Candle Lane
Houston, Texas 77071
(713)-270-5391
badler1@houston.rr.com

Benjamin Aaron Adler
Benjamin Aaron Adler, Ph.D., J.D.
Attorney of Record
Registration No. 35,423